

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Ryan M. Barbeau

Docket No. 5:07-M-1003-1

Petition for Action on Probation

COMES NOW Van R. Freeman, Jr., probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Ryan M. Barbeau, who, upon an earlier plea of guilty to 18 U.S.C. §13, assimilating N.C.G.S. 20-138.1, Driving While Impaired (Level 1), was sentenced by the Honorable William A. Webb, U.S. Magistrate Judge, on November 7, 2007, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
3. It is further ordered that the defendant shall participate in any other Alcohol/Drug Rehabilitation and Education program as directed by the U.S. Probation Office.
4. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his privilege to do so is restored in accordance with law.
5. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 60 days as directed by the probation office and shall abide by all rules and regulations of the designated facility.
6. The defendant shall pay a fine in the amount of \$4,000.00 during the course of supervision as instructed by the U.S. probation officer.

On December 13, 2007, the court extended the defendant's probation for a period of 12 months to allow the defendant additional time to meet his monetary obligation.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

The defendant has now paid all of his monetary obligations. He has also complied with all of his other conditions of probation. Since he is now past his original termination date and has met the condition that required the extension of his probation, we recommend that his supervision be terminated.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

That the supervision that was extended be terminated.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

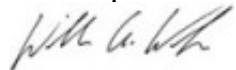
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Van R. Freeman, Jr.
Van R. Freeman, Jr.
Senior U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: March 16, 2009

ORDER OF COURT

Considered and ordered this 17th day of March, 2009, and ordered filed and made a part of the records in the above case.



William A. Webb
U.S. Magistrate Judge